

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 23-2321

Dr. Thomas Orr

Plaintiff - Appellee

v.

Dr. Neal H. Schnoor, NSU President, in his official capacity; South Dakota Board of Regents;
Members of the South Dakota Board of Regents, in their official capacities

Defendants

Dr. Kelly Duncan, Former NSU Dean of Education, in her individual capacity

Defendant - Appellant

Appeal from U.S. District Court for the District of South Dakota - Northern
(1:19-cv-01023-CBK)

JUDGMENT

Before GRUENDER, KELLY, and GRASZ, Circuit Judges.

Appellant's motion to dismiss the appeal is granted. The case is remanded to the district court.

The Court's mandate shall issue forthwith.

July 25, 2023

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans